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NOTES OF CASES.

EVIDENCE—COMPULSORY PRODUCTION OF BROKEN MACHINERY.—The production of broken machinery is held, in *Reynolds v. Burgess Sulphite Fibre Co.* (N. H.), 57 R. L. A. 949, to be compellable, for examination by persons intending to testify as experts in an action at law for personal injuries caused by its breaking.

CONSTITUTIONAL LAW—PEDDLERS—EXEMPTION.—The exemption of persons who go from house to house or place to place, vending their own products, from the payment of a license tax imposed by statute on peddlers, is held, in *Rosenbloom v. State* (Neb.), 57 L. R. A. 922, not to render the act invalid as in violation of the uniformity clause of the Constitution.

BANKRUPTCY—TRUSTEE—BURDEN OF PROVING REPRESENTATIVE CHARACTER.—In an action by a trustee in bankruptcy in a State court to set aside a conveyance of property as fraudulent, the trustee is presumed to represent the creditors of the bankrupt, and the burden is upon those who deny his authority to prove the contrary. *Oliver v. Hilgers* (Minn.), 92 N. W. 510.

CONSTITUTIONAL LAW—RAILROADS—EVIDENCE—BILLS OF LADING.—A statute making the specification of weights in bills of lading issued by railroad companies for hay, grain, etc. shipped over their lines conclusive evidence of the correctness of such weights, is held, in *Missouri, K. & T. R. Co. v. Simonson* (Kan.), 57 L. R. A. 765, to be unconstitutional.

CONSTITUTIONAL LAW—NEW CONSTITUTION—TRIAL BY JURY “AS HERETOFORE ENJOYED.”—The adoption of a new constitution reserving the right of trial by jury “as heretofore enjoyed” is held, in *State v. Hamey* (Mo.), 57 L. R. A. 846, not to include the right which had existed by statute for many years of having the jury assess the punishment in criminal cases whenever there is an alternative or discretion in regard to it.

EXECUTIONS—EXEMPTIONS—TEAMS—BICYCLES.—A bicycle used by a painter, paper-hanger, and billposter to earn a livelihood is held, in *Roberts v. Parker* (Ia.), 57 L. R. A. 764, to be within the provisions of a statute exempting from execution the team of a laborer who is the head of a family, and the wagon or other vehicle, by the use of which he earns his living, although the bicycle was not known when the statute was enacted.

AUCTION SALES—RIGHT TO WITHDRAW PROPERTY AFTER OFFER.—An executor offering land for sale at public outcry is held, in *Tillman v. Dunman* (Ga.), 57 L. R. A. 784, to have the right to withdraw the same at any time before the hammer falls.

A note to this case discusses the authorities as to the right to withdraw property from an auction sale after it has been offered.